

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/914,621
Filing Date	December 26, 2001
First Named Inventor	Xiaomao Li
Art Unit	1636
Examiner Name	Quang Nguyen
Attorney Docket Number	1038-1191 MIS:jb

Total Number of Pages in This Submission

7

ENCLOSURES (Check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Covering letter |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	January 10, 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Sim & McBurney

Patent and Trade Mark Agents

330 University Avenue
6th floor
Toronto, Canada
M5G 1R7

Telephone (416) 595-1155
Fax (416) 595-1163

MICHAEL I. STEWART
ROGER T. HUGHES, Q.C.
TONI POLSON ASHTON
JOHN H. WOODLEY
KENNETH D. MCKAY
TIMOTHY M. LOWMAN
STEPHEN M. LANE
ARTHUR B. RENAUD
STEPHEN J. PERRY
PATRICIA A. RAE
DAVID A. RUSTON
BARBARA J. MURCHIE
L.E. TRENT HORNE
LOLA A. BARTOSZEWICZ

GEOFFREY B.C. DE KLEINE
KIMBERLY A. MCMANUS
WENDY M. NOSS
MATTHEW D. POWELL
ANDREW R.O. JONES
JEILAH Y. CHAN
MICHAEL S. COLUCCI
MARCO M. CLEMENTONI
KENNETH M. T. MURPHY

SENIOR CONSULTANT
PETER W. MCBURNEY

Please Quote

Our ref. 1038-1191 MIS:jb

Your ref.

Writer's Ext. 239

E-mail: mistewart@sim-mcburney.com

January 10, 2005

Via Courier

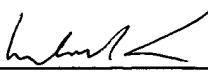
Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

Dear Sir:

RE: US Patent Application No: 09/914,621
Applicant: Xiaomao Li
Filed: December 26, 2001
Examiner: Quang Nguyen
Group No.: 1636
Title: NUCLEIC ACID RESPIRATORY SYNCYTIAL VIRUS VACCINES

In response to your communication dated December 15, 2004, we are resubmitting the Amendment with claims 1, 10 and 11 being designated as "previously presented" rather than "previously amended". The failure to employ a correct status identifier is regretted.

Yours very truly,



Michael I. Stewart
Reg. No. 24,973

Enclosure(s)



1636
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App'n. No. : 09/914,621 Confirmation No.: 8175
Applicant : Xiaomao Li
Filed : December 26, 2001
Title : NUCLEIC ACID RESPIRATORY SYNCYTIAL
VIRUS VACCINES
TC./A.U. : 1636
Examiner : Quang Nguyen
Docket No. : 1038-1191 MIS/jb
Customer No.: 24223
Date : December 2, 2004

BY COURIER

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

AMENDMENT

Sir:

In response to the Office Action of September 17, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.